

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

FILED

99 SEP 21 PM 4:11

U.S. DISTRICT COURT  
N.D. OF ALABAMA

AMERICAN GENERAL LIFE and  
ACCIDENT INSURANCE COMPANY,

Plaintiff,

vs

CIVIL ACTION NO. 98-RR-3007-E

SYLVIA MARY STALLWORTH a/k/a  
SYLVIA MARY McSTALLWORTH;  
TOMMIE STALLWORTH, JR., a/k/a  
TONY STALLWORTH, JR.; JOHN P.  
KELLEY; and FUNERAL FINANCIAL  
SYSTEMS, LTD.,

Defendants.

ENTERED  
SEP 21 1999

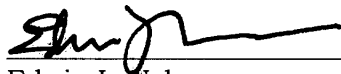
**MEMORANDUM OF OPINION**

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, it is found that Funeral Financial Systems, LTD is entitled to all of the proceeds of American General Life and Accident Insurance Company insurance policies 9460743678, 115260159, and 938506353A, previously deposited with the court, as well as the proceeds of policy

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#887420942, which proceeds have already been paid to Funeral Financial Systems, LTD; that the funds deposited with the court should be paid to Funeral Financial Systems, LTD; and that American General should be discharged from further liability to any and all of the other defendants for claims arising out of the four life insurance policies in question. An appropriate order will be entered.

DONE this 26<sup>th</sup> day of September, 1999.

A handwritten signature in black ink, appearing to read 'Edwin L. Nelson', written over a horizontal line.

Edwin L. Nelson,  
United States District Judge